



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/715,906	11/17/2000	Bruce E. Walsh	SPM-001.01	5600

25181 7590 05/21/2002

FOLEY, HOAG & ELIOT, LLP
PATENT GROUP
ONE POST OFFICE SQUARE
BOSTON, MA 02109

EXAMINER

AGDEPPA, HECTOR A

ART UNIT

PAPER NUMBER

2642

DATE MAILED: 05/21/2002

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/715,906

Applicant(s)

WALSH ET AL.

Examiner

Hector A. Agdeppa

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 11 March 2002.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-24 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 8,9,24 is/are allowed.

6) Claim(s) 1-7 and 10 - 23 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____

2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1. Claims 1, 2, 4 – 7, 12, 13, 15 - 17, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Shaffer et al. in the previous office action.

The rejection is respectfully maintained and incorporated by reference as set forth in the last office action.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 3, 10, 11, 14 and 19 - 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al.

As to claim 3, Shaffer et al. has been discussed above. What Shaffer et al. do not teach is the resources or bridges being digital signal processors (DSP).

However, DSPs are well known in the art and in fact are becoming more and more commonplace in the telecommunications arts replacing older or simply less effective processors. It therefore, would have been an obvious choice to one skilled in the art to employ DSPs instead of traditional processors. The use of DSPs alone, ~~does~~ not provide patentability.

As to claim 14, Shaffer et al. has been discussed above. What is not taught by Shaffer et al. is the use of a time-slot interchange bus.

However, the same reasoning applied to the use of DSPs may be applied to the use of these types of busses inasmuch as their use is a design choice as well. Whether a time-slot bus or perhaps a "coded" bus, wherein codes are appended to data packets instead of using specific time slots again, does not provide patentability.

As to claims 10, 11, and 19 – 22, Shaffer et al. has been discussed above. What Shaffer et al. do not teach is moving or transferring or allocating an entire conference to another resource.

However, Shaffer et al. teach moving or allocating a conferee to another resource or configuring a conference to use another resource, for example as in Col. 13, lines 3 – 7. It would have been obvious to one skilled in the art to expand the invention of Shaffer et al. to moving entire conferences instead of simply conferees or conference participants, inasmuch as an entire conference may be defined as simply the separate conferees taken as a whole.

3. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. in view of Wagner et al.

Shaffer et al. has been discussed above, but does not teach the use of a buffer, even though it teaches not allowing audible breaks in a conference.

However, Wagner et al. teaches the use of buffers when transferring data or voice between resources. The use of buffers for this purpose are very well known in the

art and would have been obvious to one skilled in the art to employ in the invention of Shaffer et al. so as to provide for uninterrupted conferencing or conversations as noted in both Shaffer et al. and Wagner et al. (Col. 7, line 55 – Col. 8, line 52) . *Buffering is needed to prevent loss of audio data.*

Response to Arguments

Applicant's arguments with respect to claims 10 – 11, 19 – 22 have been considered but are moot in view of the new ground(s) of rejection.

As to Applicant's arguments regarding the remaining rejected claims, such as claim 1, moving or re-allocating a "conference" is not claimed, but rather calls on a channel, that call being associated with a conference. While claim 1 cites "... capacity to receive additional conferences..." the latter part of the claim cites "... adding the channel to the conference..." therefore again claiming that a call on a channel and not an entire conference is being moved.

Allowable Subject Matter

4. Claims 8, 9, and 24 are allowed.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 703-305-1844. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 703-305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

H.A.A.
May 17, 2002

Ahmad Matar
AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600